

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

V.

RALPH LANG,

Defendant.

$$\begin{array}{c} ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \end{array}$$

Case No. 12-CR-00043-WMC

AFFIDAVIT

STATE OF WISCONSIN)

) SS.

DANE COUNTY

)

John W. Vaudreuil, being first duly sworn on oath, deposes and states as follows:

1. On May 25, 2011, defendant Ralph Lang was arrested by the Madison Police Department following his discharge of a firearm at a motel in Madison. In interviews conducted prior to, and after his arrest, Lang stated that he had travelled to Madison to murder doctors and nurses at the Planned Parenthood Clinic in Madison. On May 26, 2011, Lang was charged by a federal complaint with violating 18 U.S.C. § 248. He was also charged by the Dane County District Attorney with attempted first-degree homicide. On March 28, 2012, Lang was charged in a two-count indictment with violating 18 U.S.C. § 245(b)(1)(E) and 18 U.S.C. § 924(c)(1)(A)(iii). He was subsequently charged in a superseding indictment returned on April 24, 2013. These indictments, and the state charge, are based on substantially the same acts.

2. On May 30, 2013, a jury in Dane County Circuit Court found defendant Lang guilty of the state attempted homicide charge. Lang is presently awaiting sentencing on that charge.

3. The United States Department of Justice has a long-standing Dual and Successive Prosecution Policy ("*Petite Policy*"). The policy applies whenever there has been a prior state prosecution resulting in a conviction, where the federal charges are based on substantially the same acts. This policy requires Department of Justice approval to proceed with federal prosecution and, accordingly, prohibits the United States from proceeding with this case at this time.

4. Accordingly, pursuant to the Dual and Successive Prosecution Policy, the United States moves to dismiss the pending federal indictment against defendant Ralph Lang, without prejudice.

Dated this 10th day of June 2013.

/s/

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John W. Vaudreuil  
United States Attorney

Subscribed and sworn to before me  
This 10th day of June 2013.

/s/

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LeLoni Broesch  
Notary Public, State of Wisconsin  
My Commission: expires 7/13/14.